

STATEMENT OF DONALD W. MURPHY, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE FINANCE COMMITTEE, REGARDING U.S. BORDERS: SAFE OR SIEVE

January 30, 2003

Mr. Chairman, thank you for the opportunity to present the efforts being made by the National Park Service (NPS) to protect visitors and resources in national parks.

The NPS practices and policies are dedicated to preserving its natural resources and providing a safe, clean, and secure environment for its workforce and visitors. We have initiated programs and studies and undertaken actions to address many of the concerns and needs in these areas.

The National Parks Omnibus Act of 1998, P.L. 105-391, Section 801 directed the Secretary to conduct a study to fully evaluate the needs, shortfalls, and requirements of NPS law enforcements programs. A study team of national park rangers and U.S. Park Police officers was assembled in February 1999 and the final report, The National Park Service Law Enforcement Programs Study, was presented to Congress on March 8, 2000, in two volumes. One addressed the U.S. Park Police and the other addressed the field protection rangers. Included in the study are suggestions to address shortfalls, justifications for all suggestions, and a statement of adverse impacts should identified needs remain unmet. The NPS is implementing a number of those suggestions as well as a series of law enforcement reforms directed by the Secretary in July 2002.

The NPS has Park Police and ranger forces who manage the law enforcement, resource protection and emergency needs of both people and parks. The following programs were identified as already in place or were put into effect:

- Drug enforcement funding, initiated in 1992 as a specific line-item in the NPS budget, has a base of over \$9.5 million. Currently all but \$2.1 million is located in the budgets of the parks and the U.S. Park Police. The \$2.1 million is allocated annually from a central source to individual parks and regional offices to address emergency issues. For example, in September 2002 this funding was used in an investigation of marijuana gardens at Sequoia National Park, which resulted in the removal of over 100,000 plants and led to 20 indictments.
- The NPS has received funding from several regular and supplemental appropriations between 1998 and 2001 to cover the costs of anti-terrorism expenditures. Initial funding in the construction appropriation in FY 1998 provided surveillance and monitoring equipment, perimeter fencing, physical barriers, and communication equipment at Mount Rushmore National Memorial, the National Mall, Independence National Historical Park and Jefferson National Expansion Memorial. Funds were provided in FY 2001 in the Park Police appropriation for one-time costs associated with the design on a visitor screening facility and a key system for the Washington Monument, as well as for the installation of alarm systems and closed-circuit television at other monuments on the Mall. Total funding provided was \$9.9 million.

The NPS manages seven National Parks along the United States-Mexico international border, including Organ Pipe Cactus National Monument, Coronado National Memorial, Amistad National Recreation Area, Big Bend National Park, Chamizal National Memorial, Palo Alto Battlefield National Historic Site and Padre Island National Seashore. These national park units share approximately 365 miles of the international border with Mexico and 72 miles of seashore. They hosted more than 2,780,000 visitors in 2000. Other parks nearby including Saguaro National Park, Chiricahua National Monument, Fort Bowie National Historic Site and Tumacacori National Historical Park also feel the effects of this increase in illegal border activity.

To the north, Glacier National Park shares approximately forty miles of international border with Canada. The United States Border Patrol's Spokane and Havre sectors cover approximately 20 miles each along the international border with Glacier National Park and Canada's Waterton National Park. The Border Patrol, along with the Royal Canadian Mounted Police, conducts routine foot and air patrols in their areas of responsibilities along the international border between these parks. Through the Inter-Agency Border Enforcement Team (IBET), of which Glacier National Park is a member, we share information, intelligence, communications, and resources to detect illegal entries and contraband along the international border.

Although NPS has a variety of law enforcement responsibilities within national parks, it is not the Federal agency responsible for international border security. Nevertheless, illegal border activity can threaten park visitor and employee safety and damage natural and cultural resources within national parks. Hundreds of miles of illegal roads and trails have been created and huge amounts of trash and debris litter the landscape, while the few sources of natural water have been polluted or drained. In 2001, the Border Patrol estimates that approximately 250,000 undocumented migrants entered the country through parklands with over 200,000 through Organ Pipe Cactus National Monument alone. Rangers interdicted over 30,000 pounds of drugs in 2002, up from 20,000 pounds in 2000. In the summer of 2001, over 20 undocumented migrants died from exposure in or shortly after traveling through Organ Pipe Cactus National Monument.

One of the most recent incidents concerning employee safety in national parks located on the United States-Mexico border was the tragic murder of Ranger Kris Eggle. On the afternoon of August 9, Organ Pipe Cactus National Monument received a call for assistance. Mexican police

were chasing a truck that then crossed the border from Mexico into the park. National park rangers responded to the call along with agents from U.S. Customs and the Border Patrol. Kris Eggle, a 28-year old ranger, was one of them. When the truck stalled out, the occupants ran. Ranger Eggle discovered a fugitive attempting to hide. While approaching the man to arrest him, Ranger Eggle was shot by an AK-47 automatic rifle. Kris Eggle died before an ambulance could get him to a hospital.

This incident underscores the need to make changes to better protect park employees. While the NPS has the responsibility to enforce Federal laws within the borders of its parks, the NPS's mission is not international border security. The Department of Homeland Security is the primary Federal agency responsible for international border security. To better meet the responsibilities of these respective agencies, the NPS can develop closer lines of communication and cooperation with the Department of Homeland Security and other Federal, state, and local agencies. The NPS can create lasting partnerships so that each agency can accomplish its mission in the most logical and cost-effective manner. We look forward to working with the new Department of Homeland Security to establish plans of action and responsibility for ensuring appropriate border security in parks along the border.

Increased preparedness was provided through appropriations for operations in 1998, 2000, and 2001. Base increases allowed for additional patrol of facilities, trained operators of security equipment, dispatch staff, and training at parks such as Mount Rushmore National Memorial, National Capital Parks, Independence National Historical Park, Jefferson National Expansion Memorial, Statue of Liberty National Monument, Boston National Historical Park and border

parks such as Coronado National Monument and Organ Pipe Cactus National Monument. These costs were annually recurring and totaled \$4.8 million. A portion of the increased operational funding (about \$700,000) was used to purchase surveillance equipment, vehicles and bomb-sniffing dogs. This portion of the operational funding was non-recurred in the NPS budget.

- Through a FY 2002 Supplemental Appropriation, the NPS received funding of \$36.5 million for preparedness in the wake of the September 11, 2001 incident.
- \$6.1 million was provided for operational security at icon parks such as Statue of Liberty National Monument, USS Arizona National Memorial, Independence National Historical Park and Jefferson National Expansion Memorial. This funding was requested to be recurring in the FY 2003 budget.
- \$25.3 million was provided to the U.S. Park Police for operations and security improvements in the Washington, D.C. and New York City metropolitan areas. \$12.6 million of this amount was requested to be recurring in the FY 2003 budget.
- \$5.1 million was provided for physical facility and perimeter security and law enforcement equipment at selected icon park sites. This funding provided non-recurring improvements.

The NPS has proposed the following Law Enforcement Reform Implementation Strategies to improve law enforcement effectiveness and safety. These strategies are one part of a broader initiative to improve law enforcement and security throughout the Department of the Interior.

These strategies include:

- A new senior SES-level leadership position, entitled Associate Director for Resource and Visitor Protection, has been established to provide oversight of the Servicewide law enforcement, investigative, and emergency services functions.
- A Protection Ranger Leadership Board has been established to provide expert advice and counsel to the NPS Directorate.
- The reporting system for special agents will be restructured to create a separate line organizational system where field, regional and Washington special agents report to special agent managers.
- Regional offices will conduct program audits of all park law enforcement and investigative operations.
- The NPS is committed to implementing an Activity-Based Costing/Management system for law enforcement programs.

- Regional offices, working through parks, will conduct assessments of protection ranger staffing needs. Assessment data will be incorporated into park specific or region specific base increase requests utilizing the NPS Operations Formulation Systems with a goal of achieving staffing levels that meet the critical law enforcement needs.
- The NPS will enhance law enforcement training programs to address officer safety.
- A Field Training Evaluation Program will be established and implemented by FY 2004.
- A “bridge training” course will be established that provides a means for qualified non-NPS federal law enforcement personnel to transition into the protection ranger series.
- All NPS managers with line authority over NPS law enforcement programs will be required to attend the national “Law Enforcement for Managers” course presented by the Federal Law Enforcement Training Center.
- Special operations training, incident management team training, and special event team training have proven to be effective tools in responding to local, regional, and national emergency needs and will continue to be supported.
- A Security Manager position will be established within the Washington Division of Law Enforcement and Emergency Services. The potential for terrorist acts against park resources is an emerging concern that requires a new approach for assessing risks and vulnerability of park facilities and resources.
- A new Servicewide incident reporting system to replace the current Case Incident Reporting System will be implemented immediately.

We have both the statutory and the moral responsibility to ensure that the 388 units in the NPS are well cared for, for this and future generations. National park rangers have always been seen as a critical element to that mission. We also have an obligation to work with sister agencies at all levels to support their missions and legal responsibilities. Park staff should be able to expect that there is an effective presence to meet our obligations, that the Service is proactive in identifying and solving problems, and that if help is needed, it will be available. Like many other agencies, the NPS will have to use available resources more efficiently to improve our law enforcement program. Reviewing and managing our priorities – both human resources and

natural and cultural resources – identifying problems and seeking out creative solutions that involve neighbors and partners will go a long way to protecting our parks.

Mr. Chairman, this concludes my statement. I would be happy to answer any questions you or other members of the committee may have.